

NEW JERSEY STATE
BOARD OF ACCOUNTANCY

September 20, 2007

FILED

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF ACCOUNTANCY

IN THE MATTER OF THE LICENSE OF

FRANCIS DAULERIO

License No. 02063700

TO PRACTICE ACCOUNTANCY
IN THE STATE OF NEW JERSEY

:
: Administrative Action
:
: **PROVISIONAL ORDER**
: **OF DISCIPLINE**
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This matter was opened to the New Jersey State Board of Accountancy upon the receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a certified public accountant in the State of New Jersey who failed to renew his license in 2006 and, as a result, pursuant to N.J.S.A. 45:1-7.1 his license was suspended. However, he had been an active licensee at all times relevant hereto.

2. On June 26, 2007 respondent was the subject of a Judgment filed in the Superior Court of the State of New Jersey, Cape May County. Specifically respondent was convicted of one count of Theft By Deception, 2nd Degree, in violation of N.J.S. 2C:20-4A. Count I was committed over the year 2004, when in his capacity as a CPA for the Acacia Condominium Assoc., Cape May County, as well as in his capacity as a CPA for the company known as Liso Packaging, Inc., Burlington County, respondent unlawfully converted Acacia's and Liso's monies for

his own use in excess of \$75,000. (Exhibit A - Judgment of Conviction attached and made a part hereto.)

3. Respondent was sentenced to a three (3) year term of imprisonment, ordered to make restitution and, further, forfeit his license to practice accounting in New Jersey.

CONCLUSIONS OF LAW

1. The above Judgment provides grounds for the revocation of his license to practice accountancy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the conviction is one of moral turpitude and/or reflects adversely on the practice of accountancy.

ACCORDINGLY, IT IS on this day of , 2007,

ORDERED that:

1. Respondent's license shall be and hereby is provisionally revoked.

2. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a. Submitting a written request for modification or dismissal to William Mandeville, Executive Director, State Board of Accountancy, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.


b. Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c. Submitting any and all documents or other written evidence supporting respondent's request for consideration, and reasons therefor.

3. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through the submission by respondent during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration or mitigation of the penalties set forth herein, a Final Order of Discipline will be entered.

4. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding. However, the Board shall not be limited to the sanctions contained herein and may seek to recoup costs to the State.

NEW JERSEY STATE BOARD OF ACCOUNTANCY

By: 
Albertus Jenkins
President